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CARTA DE FECHA 14 DE NOVIEMBRE DE 1998 DIRIGIDA AL PRESIDENTE DEL CONSEJO DE SEGURIDAD POR EL SECRETARIO GENERAL

Como informé a los miembros del Consejo de Seguridad al término de la reunión de ayer, decidí enviar una carta al Presidente Saddam Hussein, de la que le adjunto copia.

Al enviar mi carta por conducto del Representante Permanente del Iraq ante las Naciones Unidas, puse de relieve la urgencia de mi llamamiento, al tiempo que reiteraba la viva esperanza de que el Iraq anulara de inmediato sus decisiones de 5 de agosto y 31 de octubre, y volviera a cooperar plenamente con la UNSCOM y el OIEA.

Me complace poder comunicar al Consejo que esta mañana he recibido una respuesta positiva del Viceprimer Ministro Sr. Tariq Aziz a mi llamamiento. Le adjunto igualmente una traducción oficiosa de esta respuesta, que espero los miembros del Consejo tengan la oportunidad de estudiar antes de la reunión de esta tarde.

Le agradeceré ponga en conocimiento de los miembros del Consejo la presente carta y sus anexos.

(Firmado) Kofi A. ANNAN

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ANEXO I

Carta de fecha 13 de noviembre de 1998 dirigida al Presidente de la República del Iraq por el Secretario General

Como V.E. quizás sepa, ayer interrumpí una visita oficial al norte de África y regresé a Nueva York, en vista de la agudización de la crisis en relación con el Iraq. Hoy me he reunido con los miembros del Consejo de Seguridad durante cuatro horas, por la tarde y por la noche, para pasar revista a la situación. Puedo comunicarle que todos los miembros del Consejo de Seguridad, sin excepción, se han declarado partidarios de dar una solución diplomática a la crisis. Como V.E. sabe bien, yo mismo, en los tres últimos meses, no he cejado en mis esfuerzos para llegar a esta solución.

Asimismo, el Consejo de Seguridad ha hecho suya, por unanimidad, la declaración de prensa que hice en Marrakech el 11 de noviembre, y en la que dirigí a V.E. un llamamiento personal para que adoptase las medidas necesarias con miras a posibilitar una solución diplomática. Para facilitar la referencia, a continuación figura el texto de esta declaración de prensa.

"La decisión tomada por el Iraq los días 5 de agosto y 31 de octubre de no cooperar con la UNSCOM me preocupa y entristece.

Insto encarecidamente al Presidente Saddam Hussein y al Gobierno del Iraq a que anulen esta decisión y reanuden de inmediato la cooperación con los inspectores de la UNSCOM y del OIEA.

Desde hace tiempo el Iraq afirma que desea ver la luz al final del túnel. Yo también quiero que se levanten las sanciones, para que el Iraq recupere el lugar que le corresponde en la comunidad de las naciones. Como he dicho en repetidas ocasiones, el único modo de lograrlo es que el Iraq coopere plenamente con el Consejo de Seguridad de las Naciones Unidas. El Consejo de Seguridad ha acordado un medio consistente en hacer un examen completo. Tengo la firme convicción de que esto ofrece una oportunidad auténtica al Iraq. El examen completo precisará las etapas que quedan por cubrir, a condición de que el Iraq coopere, y de este modo veremos la luz al final del túnel.

La decisión de los dirigentes del Iraq de no cooperar con la UNSCOM en el momento en que el Consejo iniciaba estas gestiones fue una sorpresa para mí y, sospecho, para todos los miembros del Consejo.

Por consiguiente, insto de nuevo al Presidente Saddam Hussein y a los dirigentes del Iraq a que aprovechen esta oportunidad de reanudar la cooperación con la UNSCOM y el OIEA, para bien del pueblo iraquí, de la región y del mundo entero."

El Consejo de Seguridad sigue ocupándose activamente de esta cuestión. Por lo tanto, agradeceré recibir una pronta respuesta a mi llamamiento.

(Firmado) Kofi A. ANNAN

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UNOFFICIAL TRANSLATION

H. E. Mr. Kofi A. Annan
The Secretary General of
The United Nations
New York

Excellency

Your letter dated 13/11/1998 addressed to President Saddam Hussein was presented to a joint meeting of the Revolutionary Command Council and the National Command of the Arab Ba'ath Socialist Party presided over by His Excellency the President. I was entrusted with the task of conveying to you the following:

1. The goal sought by Iraq from its decisions of 5 August and 31 October was not to sever the relationship with UNSCOM and the IAEA and to cease the implementation of its obligations under section C of SCR 687. The objective of Iraq is to end the suffering of its embargoed people and to see the implementation of paragraph 22 of SCR 687 as a first step for lifting the other sanctions.

2. Due to its trust in you and your good faith, the Government of Iraq has dealt with your initiative regarding the comprehensive review. But unfortunately, the deliberations of the Council on the procedures for carrying out the review did not result in a clear picture which ensures fairness and objectivity in reaching the implementation of paragraph (22) of resolution 687 , which represents the declared objective of the comprehensive review according to your proposal. It is well known that the main reason for that was the American position, which does not represents the prevailing opinion of the Council. That position, contrary to your initiative, objected continuously to the presentation of any clarity in regard to the objective of the comprehensive review.

3. Despite the assurances that we have received from you and from many members of the Council that supported the main objective of the comprehensive review, and despite the confidence we have in you and in the majority of the Council members and our belief in your good faith and sincerity, those assurances were not satisfactory because they did not meet the basics from our point view.

On the basis of what was stated in your letter, and in appreciation of the content of the letter of President Boris Yeltsin the President of the Russian Federation and Mr. Yevginy Brymakov the Prime Minister of the Russian Federation, and the positive positions expressed and conveyed to us by China, Frnace, Brazil and other States, and in order to give a further chance to achieve justice by lifting sanctions commencing with the implementation of paragraph (22) of resolution 687(1991), the Leadership of Iraq decided to resume working with the Special Commission and the IAEA and to allow them to perform their normal duties in accordance with the relevant resolutions of the Security Council and on the basis of the principles which were agreed upon in the Memorandum of Understanding signed with you on 23 February 1998.

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We offer this chance not out of fear of the aggressive American campaign and the threat to commit a new aggression against Iraq, but as an expression of our feeling of responsibility, and in response to your appeal and those of our friends. We affirm that the people of Iraq would not relinquish their legitimate right in having the inequitous embargo lifted and to live normally like other nations of the world. We will be looking forward to seeing the outcome of your efforts and the review.

Excellency

We rightly believe that if the comprehensive review were not to be a mere formality and to be free from the influences of the tendentious purposes, the adoption of the points we conveyed yesterday , 13/11/1998, to the Ambassadors of Russia, France and China, a copy of which I enclose herewith, will render the review serious, fair and fruitful.

We expect that you will continue with your efforts to to lay down the bases and the correct procedures for the review and so as to commence with as soon as possible.

Please accept, Excellency, the assurances of my highest consideration.

(signed)
Tariq Aziz
Baghdad, 14 November 1998

First, the goal sought by Iraq from its decisions of 5 August and 31 October was not to sever the relationship with UNSCOM and the IAEA and to cease the implementation of its obligations under section C of SCR's 687 and 715.

Second, the objective of Iraq is to end the suffering of its embargoed people and to see the implementation of paragraph (22) of SCR 687 as a first step for lifting the other sanctions.

Third, Iraq expressed its readiness to engage in the comprehensive review which had been proposed by the Secretary General. But, as a result of American pressure, the results brought about by the consultations of the Council do not ensure an honest and objective review with the aim of implementing paragraph (22).

Fourth, the position of Iraq on the comprehensive review is:

1- The comprehensive review be carried out within a very short time,(seven days for example), after the resumption of UNSCOM and the IAEA of their normal duties. This is to be without conditions, (like those mentioned formerly in regard to what is called the confirmation of Iraq's cooperation).
2- The comprehensive review fundamentally concentrates on paragraph (3) of the concept paper of the Secretary General of 5 October (the three Iraqi questions of 3 August) and emphasizes the question of evidence.
3- The Council be ready to implement paragraph (22) if the fulfillment of the requirements of section C of SCR 687 is established.
4- If the Council sees, through an objective study, that there are matters which need to be done, a short period be determined for their completion. Until that completion is reached, the Council implements

measures for lifting or reducing sanctions in proportion to what has been fulfilled of the requirements of paragraph (22). Thereafter, the commencement with the implementation of paragraph (22) immediately upon the completion of the required work.

5- The Council assures the legal interpretation of section C of SCR 687 and that none of its members should impose additional conditions or restrictions on the implementation of paragraph (22).

Fifth, the second phase of the review commences after completing the conclusions of the first phase.

Sixth, the second phase of the review only encompasses the obligations determined by clear provisions of the resolutions and no matters be raised contrary to the legal interpretation of the resolutions.

Seventh, the members of the Council and specially the permanent members abide by international law and the relevant resolutions of the Council in respect of all matters pertaining to Iraq.

Eighth, the question of Butler and the structure of UNSCOM and its practices are important matters. The Council is to consider them seriously in order to ensure a good relationship in the future. We hope that this will be done as soon as possible.

Ninth, it is necessary that these assurances be communicated directly to the leadership in Baghdad either by the Secretary General or by a delegation from the Council.

13 Nov. 1998
